1:Stanford U. S-4, 5 1956 AF14 Central China AF14

PUBLIC ORDER AND SAFETY

692
625

In a totalitarian regime the employment of terror is a primary strategy by which public order is maintained and the consolidation of political power is assured. The Communist regime in the Central-South Region has not hesitated to pursue such a policy, employing it on an intensive scale which covers all spheres of activity. Such a policy is insured by maintaining a rigid control over the populace and by employing various means for suppression of opposition. The judicial organ of government is conceived neither as an institution of justice nor as a protector of individual rights, but it is designed to serve as a weapon of the state for the suppression of all opposition, thereby "safeguarding the people's democratic system and protecting public property." Likewise, to insure observance of the law, the local People's Procuratorate, although a "judicial organ," exercises procuratorial authority over all local state agencies, over government workers, and over all citizens in general. The procuratorates serve as instruments of control over the People's courts and public security agencies, particularly since they have the power to supervise the People's courts in adjudication matters, the security agencies in investigation activities, and the execution of judgment in criminal cases. Both the police and public security agencies with their own security forces are instruments of violence. They assume direct responsibility for the maintance of public order and constant vigilance over the entire populace. They are integrated systems, subject to the control of the Central People's

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

Government and rigidly supervised by the Communist Party. 692 625

The use of terror is inherent in a dictatorship, where subordination to a single will is required. The imposition of a single will upon an entire society is certain to meet opposition; the more rapid and drastic the change, the stronger the resistance. To crush this resistance, terror and violence are employed. The Communist regime imposes upon society a new political ideology and its act are calculated to destroy the old order while creating a new one. It is for this reason that violence and terror are widespread and their impact upon the entire society alarming. [The activities of resistance groups will be discussed in the chapter on Subversive Potentialities.]

I. PEOPLE'S COURTS AND PEOPLE'S PROCURATORATE

A. People's Courts

692

As political weapons of the state, the People's courts have actively engaged in the suppression of counterrevolutionary activities and maintenance of public order. The Communists established a Supreme People's Court[1] in November 1949; a branch court was established in the Central-South Region a year later.[2] It serves as the representative of the Supreme People's Court and as the final

1. Official report by Shen Chuen-ju, Jen-min Jih-pao [People's Daily], June 2, 1950, p. 1.
2. Ch'ang-chiang Jih-pao [Yangtze Daily], Nov. 2, 1950, p. 1.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

692

Procuratorate.[19] Other chiefs or deputy chiefs of the local procuratorates were either the Party District secretary, chief of the organization department of the Communist Party,[20] or other key functionaries in the Party. Party control, together with the fusion in personnel of the public security organs and the procuratorates, insures the exercise of procuratorial power by the Communists, thus securing a tighter control over other agencies of violence and causing additional reasons for terror among the populace.

People's procuratorates have co-ordinated their main task with the key drives of the country. With the nation-wide disclosure of corruption and inefficiency and with the call for suppression of counterrevolutionary activities, people's procuratorates are certain to co-operate with other organizations for the accomplishment of the tasks assigned.[21]

625

II. PUBLIC SECURITY ORGANS AND POLICE

A. Public Security Organs

19. Chu Ti-hsin in Wuhan and Cheng Pei-ch'en in Canton, Yangtze Daily, Dec. 18, 1951, p. 3.

20. Wang Li-kuang of Honan provincial people's procuratorate and Chou Nan of Kwangtung, ibid.

21. Like public security agencies, special people's procuratorate offices were established in all enterprises, transportation center, mining areas and in some cases, in villages. People's Daily, March 20, 1954, p. 1. and ibid., April 1, 1954, p. 3.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

625

Perhaps the most powerful instrument of violence, with the exception of the armed forces, is the public security organ which exists in all government and functional organizations throughout the land. It maintains close control over the entire populace and assumes the responsibility for arrests and punishment. Furthermore, it has at its disposal the public security forces, which are said to be efficiently staffed. There is no doubt that the public security agencies, by collaborating with other secret organs of the Communist Party and the armed forces, have become the best physical and psychological instruments for the maintenance of public order.

1. Organization For reasons of secrecy and the potentially sinister role played by public security agencies in the structure of the regime, information on their organization and activities is deliberately withheld by the Communists. However, it is known that, in addition to the Ministry of Public Security in the Central Government, each level of government has a department or bureau in charge of matters of public security. This public security system extends from the provincial government down to the hsiang.

In this region prior to 1954, a Public Security Department was maintained in the Central-South China Administrative Committee. This department

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

according to a Kuomintang study from Formosa,[22] consisted of eight sections: political security, economic security, border security, armed security, "Reform-through-labor" (Forced labor), intelligence, police, and personnel. In addition to these sections, security cadre schools, security regiments, and other security commands were under the direct jurisdiction of the department.

Public security agencies are the executive organs of law covering the criminal code and counterrevolutionary statutes. During the land reform period, for example, security agencies were in charge of law enforcement involving the suppression of landlords, "despots," and counterrevolutionaries. Furthermore, the security agencies established in offices, factories, mines, and other industrial enterprises kept a watchful eye on matters relative to public security. In the city and on the farms, security organizations were similarly occuped. They exercised tight control and made certain that every individual remained under their surveillance.

2. Public Security in Rural Areas. During the land reform period, rural security relied on peasant associations and the militia to enforce decrees and destroy the old rural system, to crush the intelligence agencies left by the Kuomintang, to suppress banditry, and to elimimate landlords and "despots."

---

22. Kung-fei Chün-shih Kung-an T'e- wu Tsu-chih Hsi-t'ung T'u-piao Hui-pien [Organizational Chart of the Communist Public Security and Intelligence Organizations], Taipeh, The Sixth Section, Central Committee, the Nationalist Party, 1953.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

625
669

At the time of the Suppression-of-Counterrevolutionaries Movement in the cities, which was climaxed by the use of violence in 1951, a similar campaign was carried out in rural areas. Official reports during this time indicated the unrest and the resistance of the peasants, expressed in the forms of organized "underground armies," the killing of militia, the burning of granaries, and the slaughtering of cattle. In Hupeh,[23] in one month of 1950, 88 rural robberies were reported, in which 49 military cadre were killed and 264 cattle were slaughtered. In Kwangsi Province during 1950-51, over 3,000 Communist cadres were murdered.[24]

625
687

In connection with the maintenance of rural order, at least two important measures were taken. One was the suppression of the landlords and the other was the establishment of rural security committees. Prior to the issuance of the directive by the Central-South China Military and Political Committee, landlords in the rural areas were placed under the authority of the military command and the militia. According to the order concerning the punishment of landlords issued by the Central-South China Military and Political Committee[25] in November 1950, those who resisted land reform were to be tried by the People's tribunal. Those sentenced to life imprisonment or to imprisonment

23. Report of Li Hsien, Yangtze Daily, April 25, 1951, p. 5.

24. Official report of P'eng Chen, ibid., Feb. 23, 1951, p. 1.

25. Ibid., Nov. 17, 1950, p. 1.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

625 687

for five years or more were sent to "Reform-through-labor" camps. Those receiving sentences of less than one year were placed under the control of the hsiang government. They were required to sign "patriotic compacts" and pledges. They then were placed in custody, deprived of the right to travel and the right to receive guests, and were compelled to engage in productive activities. A directive in August 1952 provided that landlords could be sent to any area[26] where forced labor was in demand.

625

The establishment of security committees in the rural areas was a measure taken upon completion of land reform to organize mass participation in public security work. A committee[27] consisting of three to eleven members chosen from activists in various organizations is elected at a mass meeting in each village. Teams of activists are formed under each committee to establish an intelligence network in the village and in industrial groups. These security committees, incollaboration with the Party, the judicial organs, and the mediation committees established in the rural areas, form the backbone of the security system.

3. Public Security in the Cities. The maintenance of public order and safety in the cities is more complex than in the rural areas. The Communists approach this problem from at least four different

---

26. Ibid., Aug. 20, 1952, p. 1.

27. Yangtze Daily, Aug. 11, 1952, p. 1; ibid., Dec. 4, 1951, p. 3; text in Current Background, No. 216, Oct. 21, 1952.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

angles: (a) an extensive public security organization, (b) rigid census control over resident movements; (c) the establishment of resident organizations to watch closely over the entire populace, including committees in all organizations; and (d) the strict regulation of all commercial and recreational activities.

The Public Security Bureau in a municipal government maintains eight sections and several other units. The eight sections include a secretariat, political security (including intelligence, investigation, confidential communication), security administration, police, sanitation, fire prevention, supply, and personnel. Other units under the bureau include prisons, detention houses, and "Reform-through-labor" camps as well as security-training schools, and security forces. Under the bureau, ch'ü sub-bureaus and security sub-stations have been established. The organization of the sub-bureau is an elaborate as that of the bureau itself. The sub-bureau takes charge of detention houses and directs the work of security stations and security committees under them.

In the Central-South Region, the integration of various campaigns and drives -- the Resist-America-Aid-Korea Movement, the Suppression-of-Counterrevolutionaries Movement, and the Land Reform Movement -- resulted in increasingly rigid control over the populace. As well as mass participation in the condemnation and prosecution of counterrevolutionaries, the Central-South China

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

625

Military and Political Committee sanctioned the organization of workers' "suppression teams"[28] in all organizations and in each street in order to assist the security agencies. These teams inspired terror among the people during the Three-Anti and Five-Anti campaigns, and by means of such violent measures public order was gradually established in the cities. In the meantime, the Communists began to tighten census control both in the cities and in the rural areas. The directive on census control, issued by the Government Administration Council in July 1951, restricted the movement of city dwellers.[29] Any resident who wished to move had first to obtain a permit from the security station. Likewise, any person who moved into the district had to report his arrival to the station. Even house guests staying three days or more were required to register. The nationwise census taken in 1953 placed urban residents under stricter vigilance. "Planned purchase and marketing," a form of rationing introduced at the end of 1953, has strengthened security control. The recent institution of a regular system of registration increases the burden of established restrictions.[30]

625
659

The Security Committee was first organized in the city during the Suppression-of-Counterrevolutionaries Movement in 1951. Dwellers in a street

625

28. Yangtze Daily, Feb. 24, 1951, p. 3; ibid., Feb. 11, 1952, p. 1.

29. Ibid., July 18, 1951, p. 4.

30. Directive of State Council in People's Daily, July 3, 1955, p. 1.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

or an alley form a unit for the establishment of a committee. Under the security sub-station, which might have jurisdiction over several streets, security committees are linked to form a general committee with the sub-station chief as its chairman. The sub-station consists of a chief, deputy chiefs, and several policemen, who have been assigned to maintain public order and enforce decrees pertaining to it. These functions include the enforcement of laws on public security, the suppression of sabotage activities, the prevention and curbing of bandit activities and other criminal acts, the surveillance of counterrevolutionaries, census-taking, and the supervision of the security committees.

Security in factory, business enterprises, and other industrial organizations is the concern of committees established in each of these organizations. These committees are also expected to supervise every phase of industrial production and labor discipline.

The establishment of regulations governing the conduct of business in the Central-South Region helps to maintain control over all activities. For example, the regulation controlling the supply and sale of radio and electrical appliances[31] requires each

31. The four regulations appeared under discussion in Yangtze Daily, Aug. 9, 1951, p. 4.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

electrical shop to secure a permit from the security agency before requesting a license from the local Department of Industry. A monthly report of sales and a monthly inventory are also required. Failure to report suspicious patrons to the security agency is a punishable offense. Regulations governing the operation of hotels, warehouses, and recreational facilities follow the same rigid pattern. Owners first must have permits from public security agencies. The procedure regulating the issuance of permits requires the submission of the personal history of the owner, complete information concerning others involved in the business, and a diagram giving the geographic location of the shop or office. Hotels must make daily reports upon their guests, and recreational centers are subject to inspection at any time. Regulation of printing and engraving firms is very strict.[32] These firms are obliged to secure a permit for operation, and their printing activities are subject to inspection by the security agencies. In addition to these regulations, commercial firms are subject to additional controls from other departments, including those in charge of public purchase and marketing.

625 • 656

B. Police

At the First Public Security Conference in Central-South China, previously cited, a call for

625

32. In addition to the 1951 published regulation, publisher and printing house are subject to a more rigid regulation, including the type of materials to be published and the sale of publications; Yangtze Daily, Aug. 21, 1952, p. 4.

1:Stanford U. S-4, 5 1956 AF14 Central China AF14

625

the reorganization of the police force was made. The police force was reorganized, as were the public security agencies, during the Three-Anti and Five-Anti campaigns and the judicial reform movement in 1952. The police should be distinguished from the security forces, which are a component part of the reform of the Chinese People's Liberation Army. Effective August 1955, as a result of the State Council Order, security forces at the level of the administrative district and county were organized into an armed police force to perform the same functions as the security forces.[33] According to a report from Formosa,[34] divisions and regiments of the security forces were deployed in provinces and administrative districts.

III. CRIMINAL CODES AND LAWS GOVERNING COUNTERREVOLUTIONARY ACTIVITIES

671

Although the establishment of a criminal and civil code is assigned to the State Council Bureau of Codification, the former Commission on Codification under the Government Administration Council,

---

33. The only Communist report on security forces appeared in People's Daily, August 11, 1953, p. 1. Text of the State Council order in ibid., July 31, 1955.

34. Organizational Chart of the Communist Public Security and Intelligence Organizations, Taipei, 1953, (previously cited).